

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.4911 of 2007
Date of Decision: 2.4.2007

Krishan Gopal

Petitioner

versus

Presiding Officer Labour Court and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MRS. JUSTICE NIRMAL YADAV

Present: Shri D.R.Bansal, Advocate for the petitioner

Jasbir Singh, J. (Oral)

For remaining absent from duty, a show cause notice was issued to the petitioner, for imposing a major penalty. His reply was found unsatisfactory. Thereafter, enquiry was instituted and he was given fullest opportunity to present his case before the Enquiry Officer. The enquiry report went against him and thereafter, as per rules, his service was terminated on 19.8.1998. He failed in appeal. He went to the Labour Court and his claim, for reinstatement in service, was declined vide award dated 11.8.2006 (Annexure P/7).

The Court below has found it, as a matter of fact, that the petitioner is in the habit of remaining absent from duty. At an earlier point of time also, his service was terminated for this very reason, however, on his undertaking that he will not commit that mistake again, he was reinstated. The present enquiry was also held to be correct and termination as per rules. In view of findings given by the Labour Court in paragraph Nos.11 to 19, we feel that the orders passed, are perfectly justified. No case is made out for interference.

Dismissed.

(Jasbir Singh)
Judge

April 02, 2007
gk

(Nirmal Yadav)
Judge